

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: )  
Kiril A. PANDELISEV ) Art Unit: 1791  
Application No.: 09/880,943 ) Examiner: Carlos N. LOPEZ  
Filing Date: June 15, 2001 ) Attorney Ref. No.: 3027-0038A  
For: HOT SUBSTRATE DEPOSITION OF ) Confirmation No.: 5959  
FUSED SILICA )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **AMENDMENT TRANSMITTAL**

Sir:

1. Transmitted herewith is an Amendment responding to the Office Action dated October 26, 2009, the period for reply which extends to April 26, 2010 by the petition for a three month extension of time filed herewith.
2. Additional papers enclosed:

- [ ] Drawings: [ ] Formal Replacement Sheets and corresponding Annotated Sheets
- [ ] Information Disclosure Statement
- [ ] Form PTO-1449, \_\_ reference included
- [ ] Citations
- [ ] Declaration of Biological Deposit
- [ ] Submission of “Sequence Listing”, computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

[ ] Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

**[X]** Applicants petition for an extension of time, the fees for which are set out in 37 CFR § 1.17(a), for the total number of months checked below:

Total Months <u>Requested</u>	Fee for <u>Extension</u>	[Fee for Small Entity]
[ ] one month	\$ 130.00	\$ 65.00
[ ] two months	\$ 490.00	\$245.00
<b>[X] three months</b>	<b>\$1,110.00</b>	<b>\$555.00</b>
[ ] four months	\$1,730.00	\$865.00
[ ] five months	\$2,250.00	\$1,175.00

Extension of time fee due with this request: **\$ 555.00**. The Commissioner is hereby authorized by this paper to charge the \$555.00 fee due under 37 C.F.R. §§ 1.17(a) to:

**1) Credit Account identified in Web-EFS filing**

If an additional extension of time is required, please consider this a Petition therefor. In addition, if a Notice of Appeal is necessary in order to obtain consideration of this amendment, or if this Amendment does not place this case in immediate form for allowance, Applicant hereby appeals to the Board of Patent Appeals and Interferences the decision of the Examiner and requests the Commissioner charge either the credit account associated with the present filing or Applicant's deposit account listed below.

[ ] An extension for \_\_\_ months has already been secured and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims 37 C.F.R. §1.16(c)	<u>63</u>	minus <u>240</u> =	<u>0</u>	x \$52 each =	+ \$ 0.00
Independent Claims 37 C.F.R. §1.16(b)	<u>3</u>	minus <u>3</u> =	<u>0</u>	x \$220 each =	+ \$ 0.00
<b>Reduction by ½ for filing by a small entity</b>					<b>- \$ 0.00</b>
<b>Total Additional Claims Fee =</b>					<b>+ \$ 0.00</b>
<b>Total Extension of Time Fees =</b>					<b>+ \$ 555.00</b>
<b>TOTAL FEES DUE</b>					<b>\$ 555.00</b>

6. Fee Payment

[X] Please Charge Total Fee of \$ 555.00 to:

[X] Credit Account identified in Web EFS filing.

The Commissioner is hereby authorized to charge any additional fees that were overlooked above and which may be required, including fees due under 37 CFR §§ 1.16 and 1.17, to Applicant's Representative's Deposit Account as listed in Applicant's original application filing transmittal(50-2821). The Commissioner is also authorized to credit any overpayment to this same account.

Respectfully submitted,  
CERMAK KENEALY VAIDYA & NAKAJIMA LLP

Dated: April 26, 2010

By:  /djk/  
David J. Kenealy  
Reg. No. 40,411

USPTO CUSTOMER NO.: 39083

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